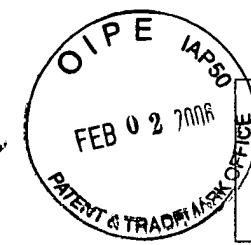


9-3-06

IFW



U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE  
DEPOSIT INFORMATION

Express Mail Label No.: EV 316049778 US

Date of Deposit: February 2, 2006

BRINKS  
HOFER  
GILSON  
& LIONE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Tomoaki Hirayama, et al.

Appln. No.: 10/629,054

Filed: July 29, 2003

For: RADIO COMMUNICATION SYSTEM,  
FREQUENCY ALLOCATION METHOD  
AND FREQUENCY ALLOCATION DEVICE

Attorney Docket No: 9683-157

Examiner: Appiah, Charles  
Nana

Art Unit: 2686

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached are:**

Response to Non-Final Office Action dated November 15, 2005 (9 pages)  
 Return Receipt Postcard

**Fee calculation:**

No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(p).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total	24	Minus 24		0	x \$25=			x \$50=	
Indep.	6	Minus 6		0	X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

**Fee payment:**

A check in the amount of \$ \_\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$ \_\_\_\_\_. (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

2/2/06  
\_\_\_\_\_  
Date

Arthur N. Penn (Reg. No. 40,767)



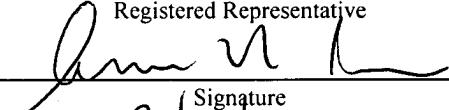
I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as Express mail EV 316049778 US in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
on February 2, 2006

\_\_\_\_\_  
Date of Deposit

Amir N. Penn (40,767)

\_\_\_\_\_  
Name of applicant, assignee or  
Registered Representative



\_\_\_\_\_  
2/2/06

\_\_\_\_\_  
Date of Signature

Our Case No. 9683-157

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Tomoaki Hirayama, et al. )  
Serial No. 10/629,054 ) Examiner: Appiah, Charles Nana  
Filing Date: July 29, 2003 ) Group Art Unit No. 2686  
For RADIO COMMUNICATION SYSTEM, )  
FREQUENCY ALLOCATION )  
METHOD AND FREQUENCY )  
ALLOCATION DEVICE )

## RESPONSE TO NON-FINAL OFFICE ACTION MAILED NOVEMBER 15, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Office Action dated November 15, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.